IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF JULY
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE MR. JUSTICE BILAL NAZKI
AND
THE HON'BLE MR. JUSTICE S. ANANDA REDDY

WRIT PETITION NO. 14277 OF 2007

Between:

M/S. Acro Trans controls, MEDCHAL,
Rep. By its Proprietor Sri Prasand Saraf,
S/o. Narayana Rao Saraf.

… Petitioner

and

The Commercial Tax Officer,
Malkajgiri Circle, Hyderabad & Others. …
Respondents.

THE HON'BLE MR. JUSTICE BILAL NAZKI
AND
THE HON'BLE MR. JUSTICE S. ANANDA REDDY
WRIT PETITION NO. 14277 OF 2007

ORAL ORDER: (Per Hon'ble Mr. Justice Bilal Nazki)

Heard the learned counsel for the parties. With their consent, the writ petition is being disposed of at this stage.

The controversy is that pending an appeal, application for stay was dismissed by the competent authority. We have gone through the record. We feel that the interests of justice would have been met if stay was granted pending appeal, subject to deposit of half of the liability. Therefore, we set aside the order of the authority and direct that half of the disputed tax liability shall be paid by the petitioner within a period of four weeks from today. For four weeks, there shall be an unconditional stay and stay shall continue till disposal of appeal, provided the amount is deposited within the stipulated time. The deposit of amount shall be without prejudice to the rights of the petitioner in appeal. If any amount has already been paid by the petitioner, the same shall be given credit.

The writ petition is disposed of accordingly. No costs.

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Bilal Nazki, J.

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S. Ananda Reddy, J.

Dt. 09..07..2007
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THE HON'BLE MR. JUSTICE BILAL NAZKI
AND
THE HON'BLE MR. JUSTICE S. ANANDA REDDY

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WRIT PETITION NO. 14277 OF 2007

ORAL ORDER

(Per Hon'ble Mr. Justice Bilal Nazki)

Dt. 09..07..2007